

2004 Current Fiscal Year Report: Industry Functional Advisory Committee on Electronic Commerce for Trade Policy Matters

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1. Department or Agency

Department of Commerce

2. Fiscal Year

2004

3. Committee or Subcommittee

Industry Functional Advisory Committee on Electronic Commerce for Trade Policy Matters

3b. GSA

Committee No.

5299

4. Is this New During Fiscal Year?

No

5. Current Charter

03/17/2004

6. Expected Renewal Date

03/18/2004

7. Expected Term Date

06/16/2004

8a. Was Terminated During Fiscal Year?

Yes

8b. Specific Termination Authority

8c. Actual Term Date

06/16/2004

9. Agency Recommendation for Next Fiscal Year

Terminate

10a. Legislation Req to Terminate?

No

10b. Legislation Pending?

11. Establishment Authority

Statutory (Congress Created)

12. Specific Establishment Authority

19 U.S.C. 2155

13. Effective Date

01/03/1975

14. Committee Type

Continuing

14c.

Presidential?

No

15. Description of Committee

National Policy Issue Advisory Board

16a. Total Number of Reports

5

16b. Report Date

Report Title

12/09/2003 Public Summary of 12/9/03 IFAC-4 Meeting

03/08/2004 IFAC-4 Statutory Advisory Report on U.S.-Australia Free Trade Agreement

03/08/2004 IFAC-4 Statutory Advisory Report on U.S.-Central America Free Trade Agreement

03/31/2004 IFAC-4 Statutory Advisory Report on U.S.-Morocco Free Trade Agreement

04/12/2004 IFAC-4 Statutory Advisory Report on U.S.-Dominican Republic Free Trade Agreement

Number of Committee Reports Listed: 5

17a. Open 0 17b. Closed 4 17c. Partially Closed 0 Other Activities 0 17d. Total 4 Meetings and Dates

Purpose

Start

End

To receive industry advice on international trade policy issues affecting the U.S. Electronic Commerce industry.	12/09/2003 - 12/09/2003
Teleconference call with IFAC-4 members to finalize the Committee Reports on the Australian and Central American Free Trade Agreements.	03/08/2004 - 03/08/2004
Teleconference call with IFAC-4 members to finalize the Committee Report on the Morocco Free Trade Agreement.	04/05/2004 - 04/05/2004
Teleconference call with IFAC-4 members to finalize the Committee Report on the Dominican Republic Free Trade Agreement.	04/20/2004 - 04/20/2004

Number of Committee Meetings Listed: 4

	Current FY	Next FY
18a(1). Personnel Pmts to Non-Federal Members	\$0.00	\$0.00
18a(2). Personnel Pmts to Federal Members	\$0.00	\$0.00
18a(3). Personnel Pmts to Federal Staff	\$60,000.00	\$0.00
18a(4). Personnel Pmts to Non-Member Consultants	\$0.00	\$0.00
18b(1). Travel and Per Diem to Non-Federal Members	\$0.00	\$0.00
18b(2). Travel and Per Diem to Federal Members	\$0.00	\$0.00
18b(3). Travel and Per Diem to Federal Staff	\$0.00	\$0.00
18b(4). Travel and Per Diem to Non-member Consultants	\$0.00	\$0.00
18c. Other(rents,user charges, graphics, printing, mail, etc.)	\$0.00	\$0.00
18d. Total	\$60,000.00	\$0.00
19. Federal Staff Support Years (FTE)	0.50	0.00

20a. How does the Committee accomplish its purpose?

In FY 2004, IFAC 4 played an active role in advising the U.S. Government on negotiating objectives and priorities to address the numerous international issues affecting the development and growth of electronic commerce. The wide range of policy issues that they provided advice on were electronic commerce within the WTO, customs duties on electronic transmissions, transborder data transfers and privacy protection, access to telecommunications networks, electronic ordering and delivery of services, consumer protection, spam, EU VAT on electronic commerce, and Internet taxation, and legal issues, such as electronic authentication, jurisdiction, and liability.

20b. How does the Committee balance its membership?

IFAC 4 is reasonably well-balanced between members who represent a broad spectrum of electronic commerce industries, including small, medium, and large companies. The committee also has representatives from associations who represent various trade sectors, not just the information technology industry. IFAC 4 would benefit from additional expertise and representation from minority-owned electronic commerce companies.

20c. How frequent and relevant are the Committee Meetings?

The committee meets approximately four times a year. However, the actual number of meetings is dictated by Government need for private sector advice. The U.S. Government

will be engaged in multilateral and bilateral trade policy initiatives including Asia - Pacific Economic Cooperation, Organization for Economic Cooperation and Development issues, World Trade Organization Ministerial and Free Trade Agreements. The advice the Government receives from the private sector through the advisory committees will be an ongoing process and will be an intrinsic part of developing U.S. positions for all policy negotiations.

20d. Why can't the advice or information this committee provides be obtained elsewhere?

The committee structure ensures a unique source of information to the Government. All members have security clearances and through continuing dialogue with Government officials are made aware of Government trade policy at a level not otherwise available to the private sector. Because the committee remains current in the broad spectrum of trade policy rather than a single facet—as would be the case in the absence of a committee structure—the private sector input from the committee is more pertinent. The advisory committee program, legislatively mandated, is the single formal comprehensive consultative link between the U.S. Government and U.S. industry and has the responsibility to address all issues concerning trade policy.

20e. Why is it necessary to close and/or partially closed committee meetings?

The Industry Consultations Program was established by the Trade Act of 1974 and in accordance with the Federal Advisory Committee Act (FACA). Subsection 135(f) of the Trade Act provides that the IFACs shall be exempt from the provisions of the FACA relating to open meetings, public notice, public participation, and public availability of documents when it is determined that the proceedings would, if disclosed, seriously compromise the Government's negotiating objectives or bargaining positions regarding trade policy matters. IFAC meetings routinely involve these kinds of discussions. The United States Trade Representative (USTR) evaluates each meeting agenda and issues a Notice of Determination when it is necessary to close meetings.

21. Remarks

Designated Federal Officer

Andrea Da Silva International Trade Specialist

Committee Members	Start	End	Occupation	Member Designation
Banner, Anne Marie	03/17/2002	12/31/2004	Microsoft Corporation	Special Government Employee (SGE) Member
Brehm, Carolyn	04/24/2003	06/16/2004	Director, International Government Relations, Proctor & Gamble Company	Special Government Employee (SGE) Member

Chandler, Mark	03/17/2002	06/16/2004	Cisco Systems, Inc.	Special Government Employee (SGE) Member
Chapman, Susan	03/17/2002	06/16/2004	General Motors Corp.	Special Government Employee (SGE) Member
Cohen, Tod	03/17/2002	06/16/2004	eBay, Inc.	Special Government Employee (SGE) Member
Dooley, Barbara	02/04/2000	06/16/2004	Barbara A. Dooley & Associates	Special Government Employee (SGE) Member
Driscoll, Daniel	03/17/2002	06/16/2004	Caterpillar Incorporated	Special Government Employee (SGE) Member
Dunn, Loretta	03/17/2002	06/16/2004	The Boeing Company	Special Government Employee (SGE) Member
Hirth, Christopher	11/26/2002	06/16/2004	Manager, Merger Integration, Intuit, Inc.	Special Government Employee (SGE) Member
Leifer, David	03/17/2002	06/16/2004	American Council on Life Insurers	Special Government Employee (SGE) Member
Owens, Wendy	09/10/2002	06/16/2004	AbleMedia, LLC	Special Government Employee (SGE) Member
Phillips, George	03/17/2002	06/16/2004	Representing Union Carbide, Inc.	Special Government Employee (SGE) Member
Platt, Joel	03/17/2002	06/16/2004	BGE, Ltd.	Special Government Employee (SGE) Member
Schwenning, Lynn	05/27/2003	06/16/2004	Senior Corporate Counsel, Patent & E-Commerce Group Leader, Alticor, Inc.	Special Government Employee (SGE) Member
Sheehy, Timothy	03/17/2002	06/16/2004	IBM Corporation	Special Government Employee (SGE) Member
Terry, Tai	03/17/2002	06/16/2004	Time Warner Inc.	Special Government Employee (SGE) Member
Zagoren, Glenn	03/17/2002	06/16/2004	Zagoren-Zozzora Corporation	Special Government Employee (SGE) Member

Number of Committee Members Listed: 17

Narrative Description

IFAC-4 plays an active role in advising the USG on negotiating objectives and priorities to address the numerous international policy issues affecting the development and growth of the digital economy and e-commerce. In FY04, the committee provided advice on e-commerce within the WTO, free trade agreements, customs duties on e-transmissions, transborder data transfers and privacy protection, and access to telecommunications networks. The committee provided final reports on the CAFTA, Morocco and Dominican Republic FTAs, and input to the WTO Cancun Ministerial.

What are the most significant program outcomes associated with this committee?

Checked if Applies

Improvements to health or safety	<input type="checkbox"/>
Trust in government	<input checked="" type="checkbox"/>
Major policy changes	<input checked="" type="checkbox"/>
Advance in scientific research	<input type="checkbox"/>
Effective grant making	<input type="checkbox"/>

Improved service delivery
Increased customer satisfaction
Implementation of laws or regulatory requirements
Other

☐
☐
☐
☐

Outcome Comments

NA

What are the cost savings associated with this committee?

Checked if Applies

None
Unable to Determine
Under \$100,000
\$100,000 - \$500,000
\$500,001 - \$1,000,000
\$1,000,001 - \$5,000,000
\$5,000,001 - \$10,000,000
Over \$10,000,000
Cost Savings Other

☐
☐
☐
☐
☐
☐
☐
☐
☐

Cost Savings Comments

NA

What is the approximate Number of recommendations produced by this committee for the life of the committee?

4

Number of Recommendations Comments

NA

What is the approximate Percentage of these recommendations that have been or will be Fully implemented by the agency?

50%

% of Recommendations Fully Implemented Comments

NA

What is the approximate Percentage of these recommendations that have been or will be Partially implemented by the agency?

50%

% of Recommendations Partially Implemented Comments

NA

Does the agency provide the committee with feedback regarding actions taken to implement recommendations or advice offered?

Yes ☒ No ☐ Not Applicable ☐

Agency Feedback Comments

Most feedback is rendered orally during IFAC-4 meetings. When written advice is sent to the Secretary of Commerce and the USTR, it is reviewed by their policy staff and tasked to appropriate ITA units to prepare draft responses. DOC internal procedures require that all responses for Secretarial signature go through a concurrence process.

What other actions has the agency taken as a result of the committee's advice or recommendation?

Checked if Applies

Reorganized Priorities	<input type="checkbox"/>
Reallocated resources	<input type="checkbox"/>
Issued new regulation	<input type="checkbox"/>
Proposed legislation	<input type="checkbox"/>
Approved grants or other payments	<input type="checkbox"/>
Other	<input checked="" type="checkbox"/>

Action Comments

DOC and USTR officials have utilized recommendations provided by IFAC-4 when formulating policy and position papers.

Is the Committee engaged in the review of applications for grants?

No

Grant Review Comments

NA

How is access provided to the information for the Committee's documentation?

Checked if Applies

Contact DFO	<input checked="" type="checkbox"/>
Online Agency Web Site	<input checked="" type="checkbox"/>

Online Committee Web Site
Online GSA FACA Web Site
Publications
Other



Access Comments

NA